

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
	:	
IN RE:	:	
	:	
	:	<u>ORDER</u>
TERRORIST ATTACKS ON	:	
SEPTEMBER 11, 2001	:	03 MDL 1570 (GBD) (SN)
-----	X	

GEORGE B. DANIELS, United States District Judge:

This document relates to:

Fed. Ins. Co. v. al Qaida, Case No. 03-cv-06978

Certain plaintiffs in *Fed. Ins. Co. v. al Qaida*, No. 03-cv-06978 (the “*Federal Insurance Plaintiffs*”) move for a partial final default judgment against the Taliban under Federal Rule of Civil Procedure 54(b). (Case No. 03-md-1570, ECF No. 7496.) This Motion is GRANTED.

A default judgment against the Taliban and others, including Al Qaeda and Hezbollah, was entered in favor of the *Federal Insurance Plaintiffs* on April 7, 2006. (Case No. 03-md-1570, ECF No. 1755.) The *Federal Insurance Plaintiffs*’ total damages against Al Qaeda were assessed at \$9,351,247,965.99. (Case No. 03-md-1570, ECF Nos. 2479, 2502.) This assessment was later extended against Hezbollah. (Case No. 03-md-1570, ECF No. 2582.)

Several Plaintiffs in the multi-district litigation have used judgments against the Taliban in an attempt to attach assets of Da Afghanistan Bank held in the Federal Reserve Bank of New York. (See Writ of Execution, *Havlish, et al. v. Iran, et al.*, Case No. 03-cv-9848, ECF No. 526-1.) Parties in other cases have sought prejudgment attachments of these assets as well. (See e.g., *Owens v. Taliban, et al.*, Case No. 22-cv-1949, ECF Nos. 32, 33.)

There are more than a dozen motions for default judgment against the Taliban pending in the multi-district litigation. The *Federal Insurance Plaintiffs*’ motion is the most procedurally

advanced. Liability and damages have already been determined as to Al Qaeda and Hezbollah. It is appropriate to extend these prior liability and damages determinations to the Taliban.

The Court will continue to adjudicate pending default judgment motions as efficiently as possible. The Court encourages all plaintiffs to continue to meet and propose strategies for an efficient and fair process to adjudicate pending default judgment motions.

Accordingly, for the reasons set forth in the Court's Order at Case No. 03-md-1570, ECF No. 2502, adopting the Report and Recommendation at Case No. 03-md-1570, ECF No. 2479, partial final default judgment under Federal Rule of Civil Procedure 54(b) is entered against the Taliban and in favor of the *Federal Insurance* Plaintiffs in the following amounts:


Plaintiff	Compensatory Damages	Trebled Award
Vigilant Insurance Company	\$42,305,933.24	\$126,917,799.72
Chubb Custom Insurance Company	\$612,585.00	\$1,837,755.00
Chubb Indemnity Insurance Company	\$4,083,878.20	\$12,251,634.60
Federal Insurance Company	\$1,513,667,597.39	\$4,541,002,792.17
Chubb Insurance Company of New Jersey	\$412,681.71	\$1,238,045.13
Chubb Insurance Company of Canada	\$50,452,395.71	\$151,357,187.13
Pacific Indemnity Company	\$9,936,536.66	\$29,809,609.98
Great Northern Insurance Company	\$595,997,113.79	\$1,787,991,341.37
AXA Art Insurance Group	\$14,287,543.00	\$42,862,629.00
AXA Global Risk (UK) Ltd.	\$10,986,623.57	\$32,959,870.71
AXA CSA UK Branch	\$64,779,883.00	\$194,339,649.00
AXA Insurance Company	\$131,696,044.96	\$395,088,134.88
AXA Reinsurance Company	\$82,714,778.00	\$248,144,334.00
AXA RE	\$105,790,023.00	\$317,370,069.00
AXA RE Canadian Branch	\$26,138,407.11	\$78,415,221.33
AXA RE UK Plc	\$18,162,701.70	\$54,488,105.10
AXA Vericherung	\$923,053.00	\$2,769,159.00
SPS RE	\$84,305,160.00	\$252,915,480.00
American Alternative Insurance Co.	\$3,922,782.07	\$11,768,346.21
Princeton Excess and Supply Lines Insurance Company	\$3,796,292.50	\$11,388,877.50
Great Lakes UK Reinsuranc Company	\$99,511,427.02	\$298,534,281.06
OneBeacon	\$176,514,985.40	\$529,544,956.20

TIG	\$76,084,229.30	\$228,252,687.90
Total Award	\$3,117,082,655.33	\$9,351,247,965.99

The *Federal Insurance* Plaintiffs are also awarded prejudgment interest at the rate of 4.96 percent, compounded annually. Pursuant to Federal Rule of Civil Procedure 62(a), the stay normally imposed under that Rule is lifted. The *Federal Insurance* Plaintiffs may execute on and enforce the judgment immediately. The Clerk of the Court is respectfully directed to prepare and enter a final judgment. To aid this preparation, the *Federal Insurance* Plaintiffs shall file a document calculating the prejudgment interest at their earliest convenience.

Dated: April 6, 2022
New York, New York

SO ORDERED.


GEORGE B. DANIELS
United States District Judge